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OPEN MEETING ITEM

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WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON

ARIZONA CORPORATION COMMISSION

RECEIVED

BRIAN C. MCNEIL
Executive Secretary

2003 FEB 25 P 1:49

DATE: February 25, 2003

DOCKET NO: T-01846A-03-0053

AZ CORP COMMISSION
DOCUMENT CONTROL

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Marc E. Stern.
The recommendation has been filed in the form of an Order on:

VERIZON OF CALIFORNIA, INC.
(CC&N/COPT)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by 4:00 p.m. on or before:

MARCH 6, 2003

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Working Session and Open Meeting to be held on:

MARCH 11 and 12, 2003

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250.

Arizona Corporation Commission

DOCKETED

FEB 25 2003

DOCKETED BY	
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BRIAN C. MCNEIL
EXECUTIVE SECRETARY

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 MARC SPITZER, Chairman
4 JIM IRVIN
5 WILLIAM A. MUNDELL
6 JEFF HATCH-MILLER
7 MIKE GLEASON

8 IN THE MATTER OF THE APPLICATION OF
9 VERIZON OF CALIFORNIA, INC. FOR THE
10 SALE OF CERTAIN ASSETS USED TO PROVIDE
11 CUSTOMER-OWNED PAY TELEPHONE
12 SERVICE IN THE STATE OF ARIZONA.

DOCKET NO. T-01846B-03-0053

DECISION NO. _____

13 ORDER

14 Open Meeting
15 March 11 and 12, 2003
16 Phoenix, Arizona

17 **BY THE COMMISSION:**

18 Having considered the entire record herein and being fully advised in the premises, the
19 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

20 FINDINGS OF FACT

21 1. Verizon of California, Inc. ("Applicant") has a Certificate of Convenience and
22 Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of
23 Arizona pursuant to Decision No. 60533 (December 18, 1997).

24 2. On January 27, 2003, Applicant filed with the Commission an application for the sale
25 of 54 pay telephones in two Arizona locations, indicating that it no longer wishes provides COPT
26 service where those pay telephones are located because it is not economically viable to service them.
27 The phones will be sold to another entity which presently has an application for a Certificate pending
28 before the Commission for approval to be a COPT provider.

3. Verizon is not requesting the cancellation of its Certificate as it is continuing to
provide service in Arizona locations where it is able to provide a high level of service.

4. On February 11, 2003, the Commission's Utilities Division Staff ("Staff") filed a Staff
Report, recommending approval of the application to sell Applicant's payphones without a hearing as
Applicant has waived its right to hearing.

CONCLUSIONS OF LAW

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2 1. Applicant is a public service corporation within the meaning of Article XV of the
3 Arizona Constitution and A.R.S. §§ 40-281, 40-282, and 40-285.

4 2. The Commission has jurisdiction over Applicant and the subject matter of the
5 application.

6 3. The approval of Applicant's application is in the public interest.

7 4. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT
8 Certificates without a hearing.

9 5. Staff's recommendation in Findings of Fact No. 4 is reasonable and should be
10 adopted.

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ORDER

IT IS THEREFORE ORDERED that the application of Verizon of California, Inc. for the sale of 54 payphones used to provide customer-owned pay telephone service shall be, and is hereby, approved.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this ____ day of ____, 2003.

BRIAN C. McNEIL
EXECUTIVE SECRETARY

DISSENT _____

DISSENT _____
MES:dap

1 SERVICE LIST FOR:

VERIZON OF CALIFORNIA, INC.

2 DOCKET NO.:

T-01846B-03-0053

3 VERIZON OF CALIFORNIA, INC.

4 Attention: Stuart Seiler

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5 Irving, Texas 75038

6 Christopher Kempley, Chief Counsel

Legal Division

ARIZONA CORPORATION COMMISSION

7 1200 West Washington Street

8 Phoenix, Arizona 85007

9 Ernest G. Johnson, Director

Utilities Division

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